



**DEPARTMENT OF THE NAVY**  
Naval Facilities Engineering Command Southeast  
Jacksonville, FL 32212-0030

**JUSTIFICATION AND APPROVAL  
FOR USE OF OTHER THAN FULL AND OPEN COMPETITION**

1. Contracting Activity.

The agency is the Department of the Navy. The contracting activity is Naval Facilities Engineering Command Southeast. The contracting office is PWD FEAD Key West, Florida.

2. Description of the Action Being Approved.

The proposed contract action is for other than full and open competition based upon one responsible source.

3. Description of Supplies/Services.

Mosquito Control services (adult surveillance, larval surveillance, truck fogging, aerial spraying and larviciding) for the Naval Air Station Complex, Key West, Florida, for a base period of 12 months and two option periods of 12 months each, at a total estimated value of \$1,540,427.00.

4. Statutory Authority Permitting Other Than Full and Open Competition.

The statutory authority authorizing other than full and open competition for only one responsible source and no other supplies or services will satisfy agency requirements is 10 U.S.C. 2304(c)(1) as specified in FAR 6.302-1.

5. Rationale Justifying Use of Cited Statutory Authority.

It is in the best interest of PWD FEAD Key West, FL to use other than full and open competition to award a sole source contract to Florida Keys Mosquito Control District located in Key West, Florida for reasons stated below:

a. Mosquito control for the Naval Air Station requires treatment, spraying, and population monitoring for approximately 4,400 acres. Approximately a third of this area consists of mangroves, wetlands, and similarly inaccessible, environmentally-sensitive areas where no roads exist. Treatment of these areas must be performed in a manner that precludes encroachment on the wetlands and natural habitat of the Lower Keys Marsh Rabbit, an endangered species. Therefore, access to these areas via spraying trucks or all-terrain vehicles is not considered an acceptable alternative because of the certain damage to the environment, wetlands and destruction of the natural habitat of the Lower Keys Marsh Rabbit. Aerial spraying eliminates any threat of damage to the environment and the Marsh Rabbit habitat while providing a proven method of mosquito control in and around NAS Key West.

J&A Number: N69450-11-0093

Source Selection Information - FAR 2.101 and 3.104

b. The technical methods for providing mosquito control services are more specialized than the capabilities of local exterminators and pest control firms. The current contract requires that Larvae "dip" counts be made when and where water stands longer than three calendar days in the area directed by the Contracting Officer. Larvae and pupae are required to be treated with an appropriate EPA registered material, excluding diesel oil, whenever dip counts exceed the acceptable level of control. Mobile aerosol-spraying is required to take place within 24 hours of observing maximum larvae counts.

c. The PWD FEAD Acquisition Branch conducted market research for suitable vendors via the Central Contractor Registration (CCR) system. Although many small and large businesses in South Florida are categorized under the designated NAICS Code of 561710, most of them indicated in phone interviews that they do not offer the services described above. Only one large firm in South Florida, [REDACTED], offers mosquito control but on a much smaller scale than we require. This firm stated that they can only treat inaccessible mangrove areas by foot with backpack-mounted sprayers. This method will not be economical for the installation due to the large ratio of labor cost to actual production. Truly Nolen also expressed concern that their larvae treatment methods are not EPA-approved for use in or around saltwater marshes.

d. Florida Keys Mosquito Control District (FKMCD) currently provides services to NAS Key West. The current contract is in its fourth option year with an amount of \$510K. Prior attempts to open this requirement up to full competition resulted in award to FKMCD as the only responsive offeror. A second offeror, [REDACTED], Inc., who submitted a proposal when this requirement was competitively re-solicited in 2006 (last 5 year cycle) was considered non-responsive because they could not provide aerial spraying. Given this history, in addition to the technical limitations described herein, it is recommended that a sole-source justification be submitted for FKMCD to receive the new contract.

6. Description of Efforts Made to Solicit Offers from as Many Offerors as Practicable.

This requirement has been competitively solicited several times, when the contract has approached its 5 year cycle. These attempts have resulted in FKMCD being the only responsive offeror.

7. Determination of Fair and Reasonable Cost.

Former contracts awarded to FKMCD have resulted in minimal price adjustments from previous contract prices and the prices were the same as those charged to other agencies for similar work, since the FKMCD provides these same services to Monroe County, Florida. Therefore, based on previous contract prices, it is expected that a fair and reasonable price will be offered by FKMCD for the current contract requirements.

8. Actions to Remove Barriers to Future Competition.

Prior to acquisition of this same requirement, when it becomes available for re-solicitation, market research will again be conducted in order to determine if new sources are available that can provide the requirement, specifically aerial spraying.

J&A Number: N69450-11-0093

Source Selection Information - FAR 2.101 and 3.104

## CERTIFICATIONS AND APPROVAL

### TECHNICAL/REQUIREMENTS CERTIFICATION

I certify that the facts and representations under my cognizance which are included in this Justification and its supporting acquisition planning documents, except as noted herein, are complete and accurate to the best of my knowledge and belief.

Technical Cognizance:

[Redacted Signature]

[Redacted Phone No.]  
Phone No.

5/9/11  
Date

### LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient.

[Redacted Signature]  
[Redacted Title]

[Redacted Phone No.]  
Phone No.

12 July 2011  
Date

### CONTRACTING OFFICER CERTIFICATION

I certify that this Justification is accurate and complete to the best of my knowledge and belief.

[Redacted Signature]

[Redacted Phone No.]  
Phone No.

5/9/2011  
Date

### ECHELON IV CHIEF OF THE CONTRACTING OFFICE CERTIFICATION

I certify that this Justification is accurate and complete to the best of my knowledge and belief.

[Redacted Signature]

[Redacted Phone No.]  
Phone No.




7/19/2011  
Date

Chief of Contracts  
NAVFAC SE

J&A Number: N69450-11-0093  
Source Selection Information - FAR 2.101 and 3.104

**APPROVING OFFICIAL (NFAS 6.304)**

Upon the basis of the above justification, I hereby approve, the solicitation of the proposed procurement(s) described herein using other than full and open competition, pursuant to the authority of 10 U.S.C. 2304 (c)(1)

  
  
  
Commanding Officer

  
Phone No.        
Date

J&A Number: N69450-11-0093  
Source Selection Information - FAR 2.101 and 3.104